

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
DECEMBER 5 2005
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Central Services Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner David Sandifer, Chairman
Commissioner Phil Norris, Vice-Chairman
Commissioner May Moore
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Jana Berg, Assistant County Attorney
Debby Gore, Clerk to the Board
Ann Hardy, Fiscal Operations Director

Tony Cummings, Chief Deputy

I. CALL TO ORDER

Chairman Sandifer called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Vice-Chairman Norris gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Sandifer asked if there were any adjustments to the agenda. The following adjustments were made:

1. Huey Marshall, County Attorney requested to add Election of Chairman and Vice-Chairman after Approval of the Consent Agenda.
2. Steve Stone, Assistant County Manager requested to add a Fuel Site Contract Award as Item 10 under Administrative Report.

Commissioner Moore moved to approve the agenda as amended. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Sandifer asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda.

1. Ennis Swain voiced concerns that a Public Hearing had been advertised regarding proposed school property. The County Attorney explained that the Hearing was inadvertently advertised and that the Board would set the Public Hearing for the proposed school property at this meeting.
2. Stewart Montgomery also expressed interest in the proposed school property.

V. APPROVAL OF CONSENT AGENDA

Commissioner Rabon moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

A. Minutes

1. November 7, 2005 – Regular Meeting – 6:30 p.m.
2. November 21, 2005 – Regular Meeting – 6:30 p.m.

B. Finance

FY 2004-2005 budget amendment and reports:

1) Health Fund Amendment 11

Miscellaneous Revenue from Vehicles Increase \$6,000

The Health Department requests that the appropriation for Family Health Personnel Miscellaneous Revenue Vehicles be increased to allow for an appropriation to purchase office equipment for the new personnel in the Environmental Health program. As of November 22, 2005 the actual revenue collected from this source was \$15,092 and only \$1,500 was budgeted creating an excess of revenue available for appropriation of \$13,592. The request to use \$6,000 of the excess was recommended by the Board of Health on 11/14/2005. There are no additional county funds involved in this amendment.

2) County Capital Reserve Fund Amendment 9

Transfer to County Capital Project \$1,600

County Capital Project Fund Amendment 9

Appropriation for Construction \$1,600

These amendments transfer \$1,600 of funds set aside in the County Capital Reserve for renovation of the old jail building to the County Capital Project Fund. The funds are requested to be appropriated for the cost of an asbestos study on the old jail facility. The request includes establishing a capital project ordinance for the Building I Renovations (Jail) for \$1,600. There are no additional county funds involved in these amendments.

3) Summary of Medicaid Expenditures

The County account was drafted for Medicaid Expenditures for the month of October in the amount of \$242,074 which is 29.16% less than the month of October 2004. The monthly amount fluctuates based on the number of state Medicaid check writes per month. The attached report compared the current fiscal year to the prior two fiscal years. For the first four months of FY 2006 the actual expenditures are 30.12% of the amount budgeted.

4) Local Option Sales Tax Revenues

The County account was credited for Local Option Sales tax for the month of September in the amount of \$1,919,381 for a 16.9% increase over the amount received for September 2004. The attached report compared the current fiscal year to the prior fiscal year in total and for each of the 4 Sales Tax Articles. For all months received and all articles the amounts received for FY 06 are higher than the amounts received for FY 05. The total of all sales taxes received is currently 30.11% of the annual amount budgeted with the first quarter received.

C. BSRI – Additional Funding

Acceptance of additional funding from DOA thru COG for the current year.

D. Resolution - Installation of a Traffic Signal

A Resolution in support of a traffic signal at the intersection of SR1123 (Stone Chimney) and SR 211 (NC211).

**RESOLUTION IN SUPPORT OF INSTALLING A TRAFFIC SIGNAL
AT THE STONE CHIMNEY ROAD/NC 211 INTERSECTION**

Whereas, there are many expressive vistas in our County, and there are places of natural beauty and alluring wonder all throughout the 851 square miles that makes up Brunswick County, and

Whereas, many of these inviting roadside respites are colored with the bounty of the land, bringing forth flowers with intricate design and infinite pulchritude, but, further inspection shows that these cartway blossoms have been supplemented with flower arrangements and bouquets marking the ultimate departure of someone's mother, father, or other individual of significance and dependence, and

Whereas, the intersection of NC 211 and Stone Chimney Roads is populated with silent flowers that speak volumes of the loss of loved ones in traffic fatalities, as the contour of the roadways, the incidence of use and proximity of the US 17/NC 211 intersection all contribute to the inherent danger of using that intersection in daily comings and goings through what is clearly one of the busiest intersections of the County, affecting the communities of Varnamtown, Cedar Grove, Holden Beach, Starlin's Pasture, Clam Bay, Maple Creek, Silver Hill, Pamplico, and Brown's Landing.

Now therefore, the Brunswick County Commissioners are hereby resolved to persuade the North Carolina Department of Transportation to install a traffic signal in the Stone Chimney Road/NC 211 intersection to reduce the risk of any more traffic fatalities in that area, and that from this day forth, that the flowers will only commemorate the passage of time, and not the passage of a precious life.

This the 5th day of December, 2005.

s/David R. Sandifer, Chair

Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, Clerk to the Board, CMC

VI. ELECTION OF CHAIRMAN and VICE-CHAIRMAN
(Added under Adjustments to the Agenda)

The Clerk to the Board asked for nominations for Chairman. Commissioner Norris nominated David Sandifer. Commissioner Moore moved to close the nominations. The vote of approval was unanimous. Vice-Chairman Norris moved to approve the appointment of David Sandifer. The vote of approval was unanimous.

Chairman Sandifer nominated Phil Norris for Vice-Chairman. Commissioner Rabon moved to close the nominations. The vote of approval was unanimous. Chairman Sandifer moved to approve the appointment of Phil Norris. The vote of approval was unanimous.

VII. PUBLIC HEARING

1. PLANNING– Map Amendment Z-05-09

CALL TO ORDER

Chairman Sandifer called the Public Hearing to order at 6:41 p.m. and announced that the purpose of the Hearing was to receive input on the proposed Map Amendment Z-05-09.

Leslie Bell, Planning Director, explained the following:

Item 1 (Z-452 – Stewart Montgomery)

Item 1 is a map amendment initiated by the property owner. This change from C-LD (Commercial Low Density) to MR 3200 (Multifamily Residential) would allow for multi-family use of Tax Parcel 232NA002, beginning approximately 350 feet northeast of the southeastern quadrant of Cedar Landing Road (SR 1199) and Reaves Street and continuing approximately 220 feet east fronting Cedar Landing Road. This parcel is located adjacent to the Intracoastal Waterway and totals 1.38 calculated acres.

Planning Board recommends approval for Tax Parcel 232NA002 (6 to 1 with Commissioner Moore opposing).

Item 2 (Z-454 – ETD/Suzanne Prince)

Item 2 is a map amendment initiated by the property owner. This change from RU (Rural) to C-LD (Commercial Low Density) would allow for commercial use of Tax Parcel 1850000901 and a portion of Tax Parcel 1850000902. Area one, beginning approximately 625 feet west of the southwestern quadrant of Southport-Supply Road (NC 211) and Smithtown Road (SR 1193) and continuing 933.05 feet west fronting Southport-Supply Road, then 600.00 feet south, 1188.32 feet east, 260.35 feet north and 462.86 feet northwest back to the point of origin.

Area two, beginning approximately 446 feet west of the northwestern quadrant of Southport-Supply Road (NC 211) and Clemmons Road (SR 1505) and continuing 1482.93 feet west fronting Southport-Supply Road, then 487.45 feet northeast, 896.48 feet north and 1656.09 feet southeast back to the point of origin. Area three, beginning approximately 1658 feet west of the southwestern quadrant of Southport-Supply Road (NC 211) and Smithtown Road (SR 1193) and continuing 642.00 feet west fronting Southport-Supply Road, then 579.03 feet southwest, 1060.66 feet east and 600.00 feet north back to the point of origin. These three areas total 41.069 acres.

Planning Board recommends approval for Tax Parcel 1850000901 and a portion of Tax Parcel 1850000902 (unanimous 7 to 0).

Item 3 (Z-455 – ETD/Suzanne Prince)

Item 3 is a map amendment initiated by the property owner. This change from RU (Rural) to R-6000 (Medium Density Residential) would allow for residential use of a portion of Tax Parcel 1850000902, beginning approximately 1558.05 feet west of the southwestern quadrant of Southport-Supply Road (NC 211) and Smithtown Road (SR 1193) and continuing 100.00 feet west fronting Southport-Supply Road, then 600 feet south, 1060.66 feet west, 3682.14 feet southwest, 1220.45 feet south, 823.62 feet southeast, 1172.00 feet east, 593.61 feet northeast, 69.78 feet west, 988.88 feet north, 1594.53 feet east, 25.48 feet north, 1093.25 feet southeast, 152.42 feet north, 367.58 feet east, 1589.19 feet northeast, 1188.32 feet west and 600.00 feet north back to the point of origin. This area totals 240.36 acres.

Planning Board recommends approval for a portion of Tax Parcel 1850000902 (unanimous 7 to 0).

PUBLIC COMMENTS

1. Stewart Montgomery (Item 1) stated that he plans to establish high end condos on the property that will modernize and beautify this area.
2. Suzanne Prince (Items 2 and 3) spoke on behalf of the owners and stated that the proposed rezoning is the highest and best use of the subject property.

ADJOURN

Vice-Chairman Norris moved to adjourn the Public Hearing at 6:45 p.m. The vote of approval was unanimous.

VIII. ADMINISTRATIVE REPORT

1. Planning – Map Amendment Z-05-09 – (*Leslie Bell*)

Staff recommends that the Board of Commissioners approve Second Reading for Map Amendment Z-05-09.

Commissioner Moore moved to approve Second Reading for Map Amendment Z-05-09. The vote of approval was unanimous.

2. Planning – Map Amendment Z-05-10 – (*Leslie Bell*)

Staff recommends that the Board of Commissioners approve First Reading for Map Amendment Z-05-10 and set a Public Hearing for January 3, 2006 at 6:30 p.m.

Item 1 (Z-456 – Tim Johnson)

Item 1 is a map amendment initiated by the property owner. This change from R-6000 (Medium Density Residential) to MR 3200 (Multifamily Residential) would allow for multi-family use of Tax Parcel 03700025; 0370002501; 0370002502; 0370002503; 0370002504; 0370002505; and 0370002506 beginning at the southeastern quadrant of Kings Road (SR 1487) and Ganey Drive NE and continuing 230.58 feet northwest fronting Kings Road and 947.95 feet south to the run of Monks Branch (also known as Ricefield Branch). Continuing along the run of Monks Branch approximately 276.61 feet southeast and then 957.99 feet north back to the point of origin. These parcels total 5 acres.

Planning Board recommends approval for Tax Parcels 03700025, 0370002501, 0370002502, 0370002503, 0370002504, 0370002505 and 0370002506 (unanimous 7 to 0).

Item 2 (Z-457 – Coastal Land Design, PLLC)

Item 2 is a map amendment initiated by the property owner. This change from RU (Rural) to R-7500 (Low Density Residential) would allow for residential use of all of Tax Parcels 11100006; 1110000602; and a portion of 12500047, beginning approximately 2647 feet east of the southeast quadrant of Danford Road (SR 1513) and Huron Lane and continuing 2249.57 feet east fronting Danford Road. Then 301.99 feet southwest; 887.04 feet south; 413.16 feet southeast; 792.00 feet northeast; 138.60 feet southeast; and 1308.78 feet northeast crossing Danford Road (SR 1513). Continuing 289.74 feet north; 421.08 feet west; 564.96 feet north; 755.04 feet west; 309.54 feet north; 347.82 feet northwest; 1160.40 feet northeast; 2121 feet northwest; 989 feet northeast; 419 feet northwest; 53 feet west; 232 feet northwest; 397 feet southwest; 228 feet west; 65 feet south; 1443 feet west; 594 feet northeast; 135 feet northwest; 1462.56 feet northeast; approximately 1310 feet north; 50 feet south and approximately 900 feet north along Prong Branch to its intersection with Mill Creek Road SE (SR 1514). Continuing approximately 1520.25 feet east fronting Mill Creek Road, then 1525.45 feet southeast; 2120.58 feet northeast; 1834.14 feet southeast; 617.10 feet west; 662.64 feet southwest; 669.90 feet northwest; 1547.70 feet southwest; 1370.16 feet south; 306.24 feet east; 1813.02 feet south; 256.08 feet southeast; 1973.40 feet south; 499.62 feet southeast; 879.78 feet southwest; 358.38 feet south; 281.82 feet southeast; 331.32 feet southwest; 1065.24 feet west; 279.84 feet north; 865.26 feet northwest; 1332.54 feet south; 748.44 feet southwest; 1617.66 feet northwest; 1322.64 feet southeast; 972.18 feet northwest and 2704.7 feet north back to the point of origin. These tracts total 1045.1 acres.

Planning Board recommends approval for Tax Parcel 11100006, 1110000602, and a portion of 12500047 (unanimous 7 to 0).

Item 3 (Z-458 – Howard T. Capps)

Item 3 is a map amendment initiated by the property owner. This change from C-LD (Commercial Low Density) and RU (Rural) to MR 3200 would allow for multi-family use of all of Tax Parcel 1680006502; and portions of Tax Parcels 16800056 and 1680006507 beginning approximately 940 feet west and then 233.60 feet south of Green Swamp Road (NC 211) and Ocean Highway West (US 17) and continuing 305.27 feet south; 972.14 feet southwest; 227.76 feet south; 780.55 feet southwest; 605.54 feet west; 150.36 feet north; 32.77 feet west; 177.39 feet north; 170.27 feet southeast; 950.25 feet north; 355.06 feet northwest; 60.84 feet southeast; 173.31 feet northeast and 452.43 feet east back to the point of origin. This area totals 20.41 acres. Planning Board recommends approval for Tax Parcel 1680006502 and portions of Tax Parcels 16800056 and 1680006507 (unanimous 7 to 0).

Commissioner Moore moved to approve First Reading for Map Amendment Z-05-10 and set a Public Hearing for January 3, 2006 at 6:30 p.m. The vote of approval was unanimous.

3. Planning – Unified Development Ordinance - Contract – (Leslie Bell)

Staff recommends that the Board of Commissioners approve a contract for the preparation of digital photos/renderings illustrating certain types of development based on proposed UDO provisions with N.C. State University, College of Design.

Leslie Bell, Planning Director explained that as part of the Brunswick County Unified Development Ordinance (UDO) preparation, this contract is for preparation of 10 to 12 digital photos/renderings illustrating certain types of development based on proposed UDO provisions. These illustrations will be used for Board workshops and for the general public to assist in grasping UDO concepts.

Illustrations will be prepared by N.C. State College of Design with a maximum contract amount of \$7800.00. A budget amendment is not required, Professional Services Budget is adequate.

Commissioner Moore moved to approve a contract for preparation of digital photos/renderings illustrating certain types of development based on proposed UDO provisions with N. C. State University, College of Design. The vote of approval was unanimous.

4. Public Housing – FY 2006 Scattered Site Housing Program – (Vonnice Fulwood)

Staff recommends that the Board of Commissioners approve participation in the FY 2006 Scattered Site Housing Program and begin the application process.

Vonnice Fulwood, Public Housing Director explained that Brunswick County has been notified by the North Carolina Department of Commerce, Division of Community Assistance that Brunswick County is eligible to receive \$400,000 in Community Development Block Grant funds as part of the FY 2006 Scattered Site Housing Program (SSH). The County, as the lead entity, must include as “full and active” partners all its municipalities interested in participating in the program. “Full and active” partner means the municipality is a member of the selection committee and is involved in the planning and development of the distribution plan.

The Scattered Site Housing Program (SSH) is a rehabilitation program targeted towards very low income owner occupied households. Owner occupied units that are designated as real property whether stick built or manufactured housing may be rehabilitated with SSH funds. These funds are to be used to address the most critical housing needs of very low income families and must benefit persons with incomes at or below 50% of the County median income. All units or

applicants selected to participate will be selected prior to sending in the 2006 Scattered Site Housing Application. Formal action by the Governing Board to certify interest in serving as the lead agency for the County must be undertaken to begin preliminary application procedures. The deadline for applying is March 31, 2006.

Commissioner Rabon moved to approve participation in the FY 2006 Scattered Site Housing Program and begin the application process. The vote of approval was unanimous.

5. Operation Services – Purchase of Equipment – (Darry Somerset)

Staff recommends that the Board of Commissioners approve the purchase of equipment and funds for miscellaneous modifications for the purpose of maintenance of the Caw Caw Drainage Project and other projects.

Steve Stone, Assistant County Manager explained that over the past year and a half the County has worked with the Caw Caw Drainage District and property owners within the District to develop workable solutions for the maintenance of the canal system. The system was not maintained for a number of years, and the water conveyance capacity of the system declined significantly. Last year we received a State grant for clearance of the access paths and removal of limbs and other vegetative debris from the canals. Staff met with representatives of the Division of Water Quality, the US Army Corps of Engineers and other regulatory agencies, and learned that we may perform maintenance services on the canals themselves so long as we do not expand the canals beyond their original design specifications and we do not fill, drain or otherwise disturb any adjoining wetlands. To implement the desired maintenance activities, Staff requests funds to purchase one mower, \$11,000, and one extendavator, \$20,000. Staff also requests \$5,000 for miscellaneous equipment modifications. While the primary use of this equipment will be for Caw Caw maintenance, the equipment will be available for other Operation Services projects.

Vice-Chairman Norris moved to approve the purchase of equipment and funds for miscellaneous modifications for the purpose of maintenance of the Caw Caw Drainage Project and other projects. The vote of approval was unanimous.

6. Brunswick County Administration Building Project - Architect Selection – (Steve Stone)

Staff recommends that the Board of Commissioners approve the engagement of Hemphill Associates to design the proposed Administration Building.

Steve Stone, Assistant County Manager explained that the County's FY 2006 Capital Improvement Program included funds for design and construction of a new Administration Building. The proposed building would house the County Manager, Human Resources, Finance, Clerk, and Legal offices. Because the former Sheriff's office is no longer a viable relocation site for the Tax Administration Department, we now also propose that Tax Administration be in the new structure.

In October Staff issued a Request for Qualifications (RFQ) from design firms. All local architects were invited to submit proposals and it was advertised in the area newspapers. A total of 10 firms responded to the RFQ. A staff committee reviewed the proposals and developed a three firm "short-list." The Space Needs Committee, which includes 2 Commissioners, reviewed the three proposals and considered the qualifications in accord with the proposed space plan. The Space Needs Committee recommends that Hemphill Associates be engaged to design the Administration Building and to provide construction administration services for the project. Our building size target for the structure is currently 18,000 square feet. Hemphill will provide design

and construction administration services for a structure of that size for a not-to-exceed a professional fee of \$155,250. Professional fees would be proportionally higher or lower for a different size structure. (Hemphill has provided a not-to-exceed fee schedule for structures ranging from 6,000 to 30,000 square feet.).

Commissioner Moore moved to approve the engagement of Hemphill Associates to design the proposed Administration Building. The vote of approval was unanimous.

7. Brunswick County Hospital Authority – Appropriation Request – (Ann Hardy)

Staff recommends that the Board of Commissioners approve an appropriation of \$100,000.00 to the Brunswick County Hospital Authority to be used for expenses associated with the Authority's search for a new lessee for the hospital.

Ann Hardy, Fiscal Operations Director explained that Chairman Henry W. "Pete" Barnett of the Brunswick County Hospital Authority submitted a letter requesting an appropriation of \$100,000 to be used for expenses associated with the Authority's search for a new lessee for the hospital. The Authority currently has expended approximately \$93,000 with \$30,000 remaining. Mr. Barnett indicates his expectation that the requested appropriation should be adequate to meet the needs of the Authority until a new contract is obtained. The Authority proposes reimbursement to the County for any and all expenditures utilized from a County appropriation from monies specified in the terms of any new lessor/lessee contract. County funds are involved in this amendment. Funds will come from Lapse Salaries.

Commissioner Rabon moved to approve an appropriation of \$100,000 to the Brunswick County Hospital Authority to be used for expenses associated with the Authority's search for a new lessee for the Hospital and the appropriate Budget Amendment. The vote of approval was unanimous.

8. Brunswick County Complex/BCC Wastewater Contracts – (Marty Lawing)

Staff recommends that the Board of Commissioners approve the construction contract for improvements to the Brunswick County Complex/Brunswick Community College Wastewater Collection System.

Marty Lawing, County Manager explained that the FY 2005-06 Capital Improvement Plan includes the necessary improvements to the Brunswick County Government Center sewer collection system to transfer wastewater to the regional collection system that has been constructed on Old Ocean Highway. Funds were also appropriated for the new sewer pump station at the Brunswick Community College campus to replace the package treatment plant. The project was designed by Castles Engineering. Only 1 bid was received at the first bid opening held on September 29, 2005 so the project was scheduled for re-bid on November 14, 2005. Only one bid was received on the 14th. The total project price exceeded the budget by \$335,970.

Budgeted project costs for both projects totaled \$350,000.

At the November 12, 2005 Commissioners' meeting, the Board authorized staff to solicit informal bids for the projects. At this time, several contractors are working on informal bids but none have been received. Hopefully all bids will be received before the meeting on December 19, 2005. No action was requested.

9. West Brunswick Regional Wastewater System – Task Order 18 – (Jerry Pierce)

Staff recommends that the Board of Commissioners approve Task Order 18 in the amount of \$69,000.00 and authorize the County Manager to execute Task Order 18 on behalf of the County.

Jerry Pierce, Utility Director explained that the West Brunswick Regional Wastewater System consist of a 3 mgd wastewater treatment plant, six major pump stations, approximately 47 miles of sewer force mains and effluent reuse mains, and a 550 acre drip irrigation site. All of the contracts associated with the construction of the West Brunswick Regional wastewater System are either complete or nearing completion.

The start up of the West Brunswick Regional Wastewater Treatment System will be in three phases with the first phase of the start up beginning in mid December with testing of the equipment installation by the manufacturer's representatives. After successful completion of those tests, the equipment would be placed in the manual operation mode. Upon completion of the control software and associated wiring, the second phase of the start up would commence with the equipment being tested in the automatic mode of operation. The final phase of the plant start up would commence once raw wastewater is introduced into the plant. All systems would then be tested to make sure it operates properly and achieves the desired treatment levels. Due to the large amount of equipment and the complexity of the operation of the equipment, Brunswick County needs to have engineering assistance during this start up phase of the plant.

For the plant to operate properly once the construction is completed and all components have been successfully tested, the plant operators have to be trained on the specific operational procedures required to operate this plant. The operators will need to understand the overall treatment process as well as how each specific piece of equipment is supposed to function.

To assist the County in the start up of the plant and the associated equipment and to train the plant operators, HDR Engineering, Inc. has provided the County with a proposed Task Order No. 18 to provide start up and staff training services to the County. The proposed contract is in the amount of \$69,000.

Commissioner Moore moved to approve Task Order 18 in the amount of \$69,000 and authorize the County Manager to execute Task Order 18 on behalf of the County. The vote of approval was unanimous.

10. Fuel Site Design and Construction Award (Added under Adjustments to the Agenda)

Staff recommends that the Board award the new vehicle fuel site design and construction to the sole bidder, Petroleum Equipment Solutions, Inc. The bid price, including tax is \$93,826.75.

Steve Stone, Assistant County Manager explained that this year's budget included funding to develop a new fueling site in Shallotte. The project was advertised in local newspapers in late October with the bid opening scheduled for November 17th. We did not receive the required 3 bids on the 17th, so the project was re-advertised with the second bid opening on December 2nd. We again received only one bid. In accord with our policy and the applicable statutes, the bid was opened and has been reviewed by the Operations Services staff. The bid price is \$93,826.75, including tax. The proposal meets our project specifications, and the project can be accomplished within budget if we make the award at this cost.

Vice-Chairman Norris moved to award construction and design contract for the new vehicle fuel site to Petroleum Equipment Solutions, Inc. The vote of approval was unanimous.

IX. BOARD APPOINTMENTS

1. Rural Transportation Advisory Committee (1 Appointment)

Commissioner Moore nominated Commissioner Tom Rabon. Commissioner Sue moved to close the nominations. The vote of approval was unanimous. Vice-Chairman Norris moved to approve

the appointment of Commissioner Tom Rabon. The vote of approval was unanimous. Commissioner Rabon will serve a two-year appointment that will expire January 2008.

X. COUNTY ATTORNEY'S REPORT

1. Deed of Dedication and Affidavit for Eastwood Landing at Sea Trail

To approve the proposed addition to the utility system.

Huey Marshall, County Attorney, explained that these installations have been completed and are ready for acceptance into the County System.

Commissioner Sue moved to approve the Deed of Dedication and Affidavit for Eastwood Landing at Sea Trail. The vote of approval was unanimous.

2. Deed of Dedication and Affidavit for Seaspray Cove at Carolina Place, Phase I

To approve the proposed addition to the utility system.

Huey Marshall, County Attorney explained that these installations have been completed and are ready for acceptance into the County System.

Commissioner Sue moved to approve the Deed of Dedication and Affidavit for Seaspray Cove at Carolina Place Phase I. The vote of approval was unanimous.

3. Brunswick County Schools – Request for School Property

To set a Public Hearing for December 19, 2005 at 6:30 p.m.

Huey Marshall, County Attorney explained that the School System must send a request if the County is to acquire property for the School System. The County received a request from the Board of Education on or about November 23, 2005 as required in NCGS 153A-158.1 to acquire property for a school site between Varnamtown and Shallotte, specifically requesting the school be situated between Stanley Road and Stone Chimney Road and proposed that parcel identified as parcel #20000009 containing 159.7 acres as recorded in Plat Book 18 at page 277. Pursuant to that request Staff requests approval to set a Public Hearing for December 19, 2005 at 6:30 p.m. or as soon thereafter as can be reached.

Commissioner Moore moved to set a Public Hearing for December 19, 2005 at 6:30 p.m. The vote of approval was unanimous.

4. Closed Session 7:07 p.m.

Commissioner Sue moved to enter Closed Session pursuant to NCGS 143-318.11 (a) (3) and (a) (5) to discuss confidential matter and potential litigation. The vote of approval was unanimous.

The Chairman called a ten-minute break.

Reconvened 8:21 p.m.

The Chairman called the Open Session back to order and announced that no action was taken in Closed Session.

Commissioner Rabon moved to set a Public Hearing for December 19, 2005 at 6:30 p.m. to receive comments regarding refund of excise stamp of conveyance. The vote of approval was unanimous.

XI. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business to discuss.

XII. ADJOURNMENT

Commissioner Moore moved to adjourn the Regular Meeting at 8:22 p.m. The vote of approval was unanimous.

David R. Sandifer, Chairman

Deborah (Debby) Gore, Clerk to the Board